

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re: Chadler Tucker ) Case No: 15-34124  
Kimberly M. Tucker ) Chapter 13

**OBJECTION TO CONFIRMATION**

**COMES NOW**, Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan filed on November 4, 2015, for the cause as follows:

1. The Debtors filed this Chapter 13 Petition on August 5, 2015 under 11 U.S.C. Chapter 13, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division.
2. This Objection is filed pursuant to 11 U.S.C. 1325 (b) (1) (B).
3. The above filed Chapter 13 Plan fails to provide that all of the debtors' projected disposable income in the applicable commitment period will be applied to the plan payments, shown by:
  - a. The above median Debtors deduct on Form 22C line 11 and amount for vehicles that exceed the allowed IRS standard for a two or more vehicles.
  - b. The debtors overstate the deduction for retirement accounts and loans per the evidence provided on line 17 of Form 22C.
  - c. The Chapter 13 Trustee would suggest that all disposable income be paid into the Chapter 13 Plan, and the unsecured claim holders receive the amount that is required to be distributed to them.
  - d. The Trustee requests proof of transportation expenses, and the strict six months of pay stubs used to calculate 22C.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, Susan H. Call, respectfully moves the Court to deny confirmation of the Debtors' proposed Chapter 13 Plan as filed with the Court, and for such further and other relief as in the premises may seem just.

Date: December 14, 2015

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee

**Certificate of Service**

I hereby certify that on December 14, 2015, I have mailed or hand-delivered a true copy of the foregoing Objection to Confirmation to the debtor(s), Chadler and Kimberly M. Tucker, 11024 River Way Road, Chesterfield, VA 23838 and electronically sent to debtor's attorney, Christopher Mark Winslow, Esquire, [chris@chriswinslow.com](mailto:chris@chriswinslow.com).

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re: Chadler Tucker ) Case No: 15-34124  
Kimberly M. Tucker ) Chapter 13

Debtor Address 11024 River Way Road  
Chesterfield, VA 23838

Last four digits of Social Security No(s): 2864  
0893

**NOTICE OF OBJECTION TO CONFIRMATION**

Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, has filed papers with the Court objecting to confirmation of your Chapter 13 Plan, which was filed in this case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

If you do not want the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before three (3) days before the date of the hearing, you or your attorney must:

  X   File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, VA 23219

You must also mail a copy to:

Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218

\_\_\_\_\_ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

  X   Attend the hearing on the objection scheduled to be held on **December 22, 2015** at **9:10 am** at United States Bankruptcy Court, **701 East Broad Street, Richmond, VA 23219, Room 5100.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the objection and may enter an order granting that relief.

Date: December 14, 2015

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218-1819  
VSBN 34367

#### **Certificate of Service**

I hereby certify that on December 14, 2015, I have mailed or hand-delivered a true copy of the foregoing Notice of Objection to Confirmation to the debtor(s), Chadler and Kimberly M. Tucker, 11024 River Way Road, Chesterfield, VA 23838 and electronically sent to debtor's attorney, Christopher Mark Winslow, Esquire, chris@chriswinslow.com.

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee